

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA

JONATHAN RIVERA-PIEROLA,

Plaintiff,

v.

BOARD OF REGENTS FOR THE
OKLAHOMA AGRICULTURAL AND
MECHANICAL COLLEGES; STATE OF
OKLAHOMA *ex rel.* OKLAHOMA
STATE UNIVERSITY; and ST.
MATTHEWS UNIVERSITY, INC.,

Defendants.

Civil Action No.: 5:21-cv-00616-PRW

**UNOPPOSED MOTION FOR EXTENSION OF TIME FOR PLAINTIFF TO
FILE HIS RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION FOR
SUMMARY JUDGMENT**

Plaintiff, Jonathan Rivera-Pierola ("Plaintiff"), by and through his counsel, hereby respectfully requests that this Court enter an Order granting Plaintiff a one-week extension of time to file his Response in Opposition to Defendants, the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges ("Board of Regents") and the State of Oklahoma *ex rel.* Oklahoma State University ("OSU") (collectively the "Defendants,") Motion for Summary Judgment [Docket No. 34]. In support of this Motion, Plaintiff states the following:

1. On June 29, 2023, Defendants filed their Motion for Summary Judgment and Supporting Brief [Docket No. 34]. Plaintiff's response is currently due by July 20, 2023.
2. This is Plaintiff's first request for an extension of time to respond to Defendants' Motion for Summary Judgment.

3. Plaintiff's lead counsel, Jason J. Bach, is preparing the response to Defendants' Motion for Summary Judgment. Unfortunately, because of the demands and deadlines in another case in which he is lead counsel, *Gradeless v. Kansas State University, et. al.*, Case No.: 5:21-cv-00616-PRW, filed in the United States District Court for the District of Kansas, Mr. Bach is unable to complete and timely file Plaintiff's response to Defendants' Motion for Summary Judgment.

4. In addition, Mr. Bach is scheduled to depose two additional witnesses for this matter prior to the current deadline to file his response to Defendants' Motion for Summary Judgment.

5. Plaintiff is requesting only a short one-week extension to respond to Defendants' Motion for Summary Judgment up to and including July 27, 2023. Defendants' counsel has agreed to this requested extension.

6. The above extension is requested in good faith, are not made for the purposes of delay, and no other deadlines shall be affected if this motion is granted.

WHEREFORE for the above stated reasons, Plaintiff respectfully requests that the Court grant his Motion and enter an Order extending the deadline to file his Response in Opposition to Defendants' Motion for Summary Judgment by one week to July 27, 2023. In accordance with Local Rule 7.1(h), a proposed order is being contemporaneously submitted with this Motion.

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Submitted this 6th day of July, 2023.

Respectfully submitted,

/s/ Jason J. Bach

Jason J. Bach (Admitted *Pro Hac Vice*)

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Attorneys for Plaintiff Jonathan Rivera-Pierola

CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2023, I electronically transmitted the attached document to the Clerk of Court using the ECF system for filing. Based on the records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

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Gaylan Towle II
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*Attorneys for Defendants Board of Regents and
the State of Oklahoma ex rel. Oklahoma State University*

/s/ Jason J. Bach
Jason J. Bach